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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	**No. M:06-cv-01791-VRW**
This Document Relates To: ALL CASES	**STIPULATION SETTING SCHEDULE FOR UNITED STATES TO RESPOND TO PLAINTIFFS' LETTER REGARDING *EX PARTE, IN CAMERA* FILINGS [Dkt. 246]; AND [PROPOSED] ORDER** Judge: Hon. Vaughn R. Walker

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RECITALS

A. On April 9, 2007, the Government filed a Notice of Lodging of Classified Submission [Dkt. 239] ("*Ex parte* Notice"). (As in the Joint Case Management Statement, Dkt. 61, "the Government" refers to the federal defendants sued in their official capacities in these actions and the federal intervenor-defendants (United States of America, National Securities Agency, President George W. Bush).)

B. On April 10, 2007, Co-Lead Coordinating Counsel for the Plaintiffs advised counsel for the Government that the Plaintiffs intended to challenge the adequacy of this *Ex parte* Notice as well as any future similar filings by the Government.

C. On April 13, 2007, Plaintiffs submitted a letter to the Court seeking a "formal process to control the government's submission of *ex parte, in camera* filings." *See* April 13, 2007 Letter [Dkt. 246]. Plaintiffs cited Local Rule 7-11(a) for the relief they request in this letter.

D. Beginning on April 14, 2007, and continuing through the evening of April 18, 2007, counsel for the Government and Plaintiffs engaged in negotiations regarding the nature and timing of the Government's response to the April 13, 2007 filing.

E. The United States requested until April 27, 2007, to complete its response to the April 13, 2007 filing due to the significant press of other business, which includes the (i) completion of the Government's filing in the Verizon cases on April 20, 2007, and (ii) preparation of a supplemental filing in the State Cases before this MDL on April 26, 2007.

F. The Government's position is that the letter submitted at Dkt. 246 is not a proper motion under the local rules that requires a response.

G. The United States agreed to waive any argument that the April 13, 2007 filing failed to meet the requirements of Local Rule 7-11 and to adhere to the page limitations in that rule.

H. The due date for response to the April 13, 2007 filing does not seek to alter any preexisting briefing schedules in any of the cases in this MDL, nor does it affect the date of any upcoming hearing.

STIPULATION

Plaintiffs, through their Co-Lead Coordinating Counsel and the Government, through their attorneys of record, hereby stipulate to the following schedule and request that the Court make this stipulation an order of the Court:

1. The Government shall have up to and including April 27, 2007, to respond to the relief requested in Plaintiffs' filing [Dkt. 246].

2. The Government agrees to waive any argument that the filing failed to satisfy the requirements of Local Rule 7-11. The Government further agrees that it will respond within the page limitations of that rule.

DATED: April 19, 2007

Respectfully Submitted,

PETER D. KEISLER
Assistant Attorney General, Civil Division
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By: *\/s/ Alexander K. Haas*
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By *__/s/ Cindy Cohn per G.O. 45_________*
Cindy Cohn
Co-Lead Coordinating Counsel for Plaintiffs

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DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, ALEXANDER K. HAAS, hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence in the filing of this document from each of the other signatories listed above and below.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on April 19, 2007, in the City of Washington, District of Columbia.

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By *__/s/ Cindy Cohn per G.O. 45__*
Cindy Cohn
Co-Lead Coordinating Counsel for Plaintiffs

[PROPOSED] ORDER

Pursuant to the foregoing stipulation, and good cause appearing,

IT IS SO ORDERED.

Dated: April __, 2007.

____

Hon. Vaughn R. Walker
United States District Chief Judge